



## TO THE UNITED STATES DISTRICT COURT For THE DISTRICT OF DELAWARE

In Re: PHILLIP A DYE DEBTOR, Phillip A Dye Secure  
Party and Philippo Alo Wikvaya Ali Dey Secure Party

Petitioners

V.

) Docket No: 04-4308

) Case No: Del: Civ. No: 04-cv-00386

) Reference: Chapter 13 Bankruptcy

) Case No: 03-13727 JKF

2005 MAY 20 PM 11:38

U.S. DISTRICT COURT  
DISTRICT OF DELAWARE

### **Mandatory Judicial Notice in the Form of a Writ of Mandamus Demanding That This Court Issue Its Decision in This Pending Appeals Case**

#### **Case History Establishing the Cause**

On October 29, 2004 an Appeal was filed in this Court as cited above appealing the Bankruptcy Court Decision by Judge Judith K. Fitzgerald to dismiss the Bankruptcy Case No: 03-13727 JKF. The Delaware District Court docketed the Appeal Brief in the Truth on November 04, 2004 was reviewed by the District Court Judge Sue L. Robinson who refusing to issue a decision and forwarding the case to the United States Court of Appeals for the Third District.

Phillip A Dye the Secure Party for Debtor Fiction Artificial Person PHILLIP A DYE received notice dated November 16, 2004 from the Clerk of the United States Court of Appeals that the Case was received and docketed but the case would not be reviewed until a filing fee and docket fee were paid. Phillip A Dye the Secured Party then submitting for the Debtor Fiction Artificial Person PHILLIP A DYE the petition to proceed In Forma Pauperis with the Statement of Assignment of the Account which was accepted by the United States Court of Appeals for the Third District and the case was review by the Court.

Phillip A Dye the Secured Party for Debtor Fiction PHILLIP A DYE received notice from the Clerk of the United States Court of Appeals panel was considering possible dismissal due to jurisdictional defect because the District Appellate Court made no final decision nor issued any order. Therefore there was noting for the United States Court of Appeals panel to review.

Phillip A Dye the Secured Party for Debtor Fiction PHILLIP A DYE responding to the court filed on March 09, 2005 an Advising this Appeals Court to return the Case to the Delaware District Appellate Court instructing the Delaware District Appellate Court to issue a decision in this matter. To date neither Phillip A Dye the Secured Party nor the Debtor Fiction PHILLIP A DYE has received any notice concerning the status of this Appeal Due Process.

Therefore this Case History is sufficient showing cause for this Mandatory Judicial Notice in the form of this Writ of Mandamus demanding that the District Court perform the mandated fiduciary duty of issuing a decision.

**Nationality and Identity Publication with Statement of the Claim for Relief**

Phillip A Dye the Secure Party for the Debtor Fiction Artificial Person PHILLIP A DYE also known as Secure Party The Noble Philippo Alo Wikvaya Ali Dey "A Living Soul by the Divine Creation Birthright deriving Sovereign Unalienable Powers Unalienable Rights and Unalienable Authority from that Divine Creation Supremely from My Divine Creator God Ishi (Hebrew) Yashua (Greek)", Birthright and Inheritance from My Ancient Indigenous Moabite Ancestors of the Land Territory of the North Amexem (America) Republic, the Great Seal of the Moor Al Morocs Empire Amexem (America), the Indigenous Pembina Nation Lineal Descendant by Inheritance of the Pembina Nation Territorial Land of the North America Republic Continent through My Aboriginal Forefathers thus possessing having My Birthright American Nationality, and also deriving Unalienable Aboriginal Rights Unalienable Aboriginal Powers Unalienable Aboriginal Authority Unalienable Aboriginal Jurisdiction from the Organic Amexem (America) United States Constitution at Article VI and the following treaties still binding and in effect.

1. The 1778 Treaty between The Delawares American Native Sovereign Nation and the United States of America Nation
2. The 1785 American Moor Treaty of Peace and Friendship and the United States of America Nation.
3. The 1863 Treaty between the Chippewa-Red Lake Little Shell Band Pembina Nation and the United States of America.

THEREFORE From these Supreme Lawful Authorities Phillip A Dye the Secure Party for the Debtor Fiction Artificial Person PHILLIP A DYE also known as Secure Party The Noble Philippo Alo Wikvaya Ali Dey hereby make this publication statement of this claim upon which remedy relief award for damages is granted See Civil Rule of Procedure 12(b)(6) all of which all the Judicial Official Judges and all the Attorneys on the record in this Case are Bound by Oath of Office and Fiduciary Duty to Obey as the Supreme Law of this land.

**Mandatory Judicial Notice of This Extraordinary Writ of Mandamus By Order of Organic De Jure Law**

THEREFORE This Mandatory Judicial Notice of This Extraordinary Writ of Mandamus by the above stated power authority of the De Jure Organic law is demanding compelling the performance of the District Court Judge Sue L. Robinson to perform your Oath of Office and Fiduciary Duty of supporting the Authority of the Organic Constitution Secured Protected Right to Equal Access to the Substantive Due Process for the American National possessing an American Nationality Phillip A Dye The Noble Philippo Alo Wikvaya Ali Dey right to a speedy decision and the Substantive Right to Lawful Justice which is abrogated abridged denied where there is the clear lawful duty of Judicial Officer United States District Court Judge Sue L. Robinson to protect this right by Issuing the appropriate Lawful Decision in this Case effecting remedy in this Appeal Claim.

Whereas the United States District Court Judge Sue L. Robinson is performing where she has no authority or jurisdiction to perform. Issuing the decision denying full access to the Due Process Right of securing and protecting property during the administrative process of a civil case by denying the execution of a Stay of Execution that would preserve the 4<sup>th</sup> Amendment in preserving and protecting of Phillip A Dye The Noble Philippo Alo Wikvaya Ali Dey from substantiated economic harm damage and loss of property and then refusing the issuing of an order to bring remedy and closure in this Claim that would result in securing the said property. This Substantial Breach of Honorable Performance of the Fiduciary Duty and this Substantial Breach of the Oath of Office that is demanding United States District Court Judge Sue L. Robinson to be supporting Treaty Law Terms and Conditions and the Organic Constitution as Supreme in Law in this Case is producing the abrogating denying diminishing of Constitutional Secured Protected Substantive Rights. This Breach of Duty of Performance in a timely manner issuing a decision and the refusing of Obeying the Oath of Office to protect the Rights of Phillip A Dye The Noble Philippo Alo Wikvaya Ali Dey is creating unnecessary economical damage and potential of permanent loss of Private Property through fraud and abuse of the court system perpetrated by the United States District Court Judge Sue L. Robinson refusing to perform her duty and Treaty Law and the Organic Constitution Law is demanding Great Wrong be corrected now.

The Overwhelming Forensic Evidence in Fact presented in the Claim in the Appeal Brief affirming establishing validating the injustices of the Bankruptcy Court in denying equal access to the Due Process Right Demands that the Claims made in that Brief be Satisfied Immediately according to Treaty Law and the Organic Constitutional Law within the Delaware Republic Venue as published in the Brief Claim.

Whereas this District Court Judge Sue L. Robinson is refusing to perform the duty specified in the Oath of Office and the Organic Constitution De Jure Law supporting and protecting the Due Process Right to Lawful Speedy Justice protecting the right of Phillip A Dye The Noble Philippo Alo Wikvaya Ali Dey of full and equal access to the Substantive Due Process Right.

Therefore This Mandatory Judicial Notice of this Extraordinary Writ of Mandamus is demanding compelling ordering the executing of the performance of the Fiduciary Duty Supporting and Obeying the Organic Law of the Constitution Granting the Secure Party Phillip A Dye The Noble Philippo Alo Wikvaya Ali Dey the Secured Right of Full Access to the Substantive Due Process Right to an appropriate Lawful Decision Granting all the Claim Demands in the Appeal Brief of this Case published in the Caption listed above and cited in this Mandatory Judicial Notice of This Extraordinary Writ of Mandamus.

#### **Judicial Notice of Additional Authorities Supporting This Writ of Mandamus Order Demands**

1. Article VI the Organic Constitution aboriginal Jurisdiction of the District is conferred given to Constitutional Law.
2. Title 28 United States Code Annotated §-1361 aboriginal jurisdiction of the District is given to Constitutional Law Sustaining the Supremacy of Treaties in Law in the Courts throughout the United States America.
3. Title 28 United States Code the Judiciary and Judicial Procedure, Part V, Procedure Chapter III, General Provisions at the §-1652 the sub-title being, State Laws as Rules of Decision; is publishing the statutory Judicial claim that the rules of decision in civil actions in the courts of the United States are regarded as decisions except where the Constitution or Treaties otherwise require or provide. The Constitution and Treaties demand the execution of this Writ of Mandamus WHEREAS the decisions from the Bankruptcy Court are void without merit force or standing in Law conflicting with the Organic Treaty Constitutional Law that is demanding granting the claims set forth in this appeal claim.
4. Title 28 United States Code – Judiciary and Judicial Procedure, Part V – Procedure §-2072 which is publishing the fact that any rule order decision abridging enlarging or modifying any substantive right shall be of no further force or effect after such rules orders decision have taken effect. The Order Dismissing the Bankruptcy is Void on its face having neither force nor authority in law thus is mandating that the Claims made in the Bankruptcy Court by Phillip A Dye The Noble Philippo Alo Wikvaya Ali Dey be Granted.
5. This Writ of Mandamus is issued in response to abuses of judicial power exhibited in the Bankruptcy Court. Thus where the District Court Judge Sue L. Robinson is refusing to correct that wrong by refusing to Obey the Supreme Law in Supporting the Substantive Right to Full Due Process Right protecting from such abuses in any court. See Bankers Life & Cas. Co. v. Holland, 346 U.S. 379, 384 S.Ct. 145, 98 L.Ed. 106.

The Authority of the Supreme Court to Issue a Writ of Mandamus See McClellan v. Carland, 217 U.S. 268, 30 S.Ct. 501, 503, 54 L.Ed. 762 is conferred to Phillip A Dye the Private Attorney General The Noble Philippo Alo Wikvaya Ali Dey a Wazir (officer) Consul Minister General law Counsel to Moorish American Nationals being of American Moor Nationality and Pembina Nation Lineal Citizen Nationals being of American Nationality. This Private Attorney General Phillip A Dye that is Consul Minister General the Noble Philippo Alo Wikvaya Ali Dey operates Supremely under the Authority of Treaties that is Constitutionally Enforced being upheld by all Judicial Officers such as this United States District Court Judge Sue L. Robinson and the Attorneys of Record of this case each performing their Fiduciary Duty and Public Trust Obligation to Obey Their Oath of Office which Bounds them to Support and Obey the Treaties and the Organic Constitutional demands of this Judicial Notice issued by the Private Attorney General Phillip A Dye the Consul Minister the Noble Philippo Alo Wikvaya Ali Dey that is



demanding that this Court Overturn the Lower Court Decision and Grant the Demands of this Appeal Claim.

6. This Writ of Mandamus is issued in this extraordinary situation where Constitutional Secured Substantive Rights are abrogated altered denied by the District Judge Sue L. Robinson by refusing to perform her Fiduciary Duty having support from the case law as cited in these decisions. Bankers Life & Cas. Co. v. Holland, 346 U.S. 379, 384 S.Ct. 145, 98 L.Ed. 106, Ex parte Fahey, 332 U.S. 258, 259, 67 S.Ct. 1558, 1559, 91 L.Ed. 2041; Will v. United States, 389 U.S. at 95, 88 S.Ct., at 273, quoting Roche v. Evaporated Milk Assn., 319 U.S. 21, 26, 63 S.Ct. 938, 941, 87 L.E. 1185. Nebel v. Nebel, 241 N.C. 491, 85 S.E.2d 876, 882; Cohen v. Ford, 19 Pa.CmWlth. 417, 339 A.2d 175, 177.

#### **Additional Authorities Supporting The Consul Minister General and The Private Attorney General**

Article VI of the United States Constitution secures the Superior Claim of Treaties having Original Jurisdiction in Law and Superior Authority in Law providing unlimited support for this notice of providing Lawful Support for Phillip A Dye a National Private Attorney General the Noble Philippo Alo Wikvaya Ali Dey the Wazir (officer) Consul Minister General law Counsel. The following references provide additional support for securing the claims of this Private Law Council notice.

Rudolph Schware, Petitioner v. Board of Bar Examiners of the State of New Mexico, 353 US 234, No. 92. "A State cannot exclude a person from the practice of law or from any other occupation in a manner or for reasons that contravene the Due Process or Equal Protection Clause of the Fourteenth Amendment."

We need not enter into a discussion whether the practice of law is a "right" or "privilege." Regardless of how the State's grant of permission to engage in this occupation is characterized, it is sufficient to any that a person cannot be prevented from practicing except for valid reasons. Certainly the practice of law it not a matter of the State's grace. Ex parte Garland, 4 Wall. 333, 379 18 L. Ed. 300. Also see the following:

Dent v. State of West Virginia, 129 U.S. 114, 9 S.Ct. 281, 82 L.Ed. 623. Cf.

Slochower v. Board of Higher Education, 350 U.S. 551, 76 S. Ct. 687, 100 L.Ed. 692;

Wieman v. Updegraff, 344 U.S. 188, 76 S.Ct. 215, 97 L.Ed. 216. And see Ex parte Secombe, 19 How. 9, 13, 15 L.Ed. 565.

"The practice of law is, an occupation of Common Right," as per Sims v. Ahrens, 271 S. W 720 (1925) [Arkansas Supreme Court] and upheld that "they [attorneys] cannot represent any private citizen nor any business as the State cannot license the practice of law" nor impose a tax upon it, as per the ruling of the Arkansas Supreme Court in Schware v. Board of Examiners, 353 U.S. 238,239

"Congress, in enacting the Administrative Procedure Act, refused to limit the right to practice before the administrative agencies to lawyers." That is to; A person engages in the practice of by maintaining an office where he is held out to be an attorney, using a letterhead describing himself as an attorney, counseling clients in legal matters, negotiating with opposing counsel about pending litigation and fixing and collecting fees for services rendered by his associate."

Pursuant to the US Supreme decision in the Hale vs. Henkle 201 U.S. 43 at 74 case; "The individual my stand upon his Constitutional rights as a Citizen. He is entitled to carry on his private business in his own way. Power to contract is unlimited. He owes no duty to the State or to his neighbors to divulge his business or to open his doors to investigation...He owes no duty to the State, since he receives nothing there from, beyond the protection of his life and property. His rights are such as existed by the Law of the Land, long antecedent to the organization of the State, and can only be taken from him by due process of the law and in accordance with the Constitution. He owes nothing to the public so long as he does not trespass upon their rights."

Treaties and the Organic Constitution assures unlimited unalienable rights to perform in private law enterprise a National Private Attorney General the Wazir (officer) Consul Minister General law Counsel protecting Citizens and their Rights.

The only statutes found for the 'unauthorized practice of law' deal with such issues as "A lawyer shall not aid a non-lawyer in the unauthorized practice of law" or "practice law in a jurisdiction where to do so would be in violation of the regulations of the profession in that jurisdiction."

The Noble Philippo Alo Wikvaya Ali Dey the Consul Minister General under Moorish Treaty-Organic Constitutional De Jure Law and the Private National Attorney General and Counsel under the Qui Tam short for "*Qui tam pro domino rege quam pro se ipso*" Provisions allowing Private Citizens having an American Nationality to act as "National Private Attorney General" under the False Claim Act pursuant to the Title 18 of the United States Code Annotated at §-286 §-287 and the Title 31 §-3729 to §-3733 to bring actions against those who violate the law especially under the Color of Law to Prosecute against False Claims under the color of law made against Natural Men and Women and to defend natural men and women who are the victims of False Claims. See U.S. v. Florida-Vanderbilt Development Corp., D.C. Fla., 326 F.Supp. 289, 90.

THEREFORE This Extraordinary Writ of Mandamus is Requiring Ordering Demanding Compelling this United States District Court Judge Sue L. Robinson to immediately publish the Order over turning making void stating of no effect the Decisions of the Bankruptcy Court and Granting the Demand Claims of the Appeals Claim Caption listed above.

THEREFORE This Extraordinary Writ of Mandamus is Requiring Ordering Demanding Compelling the United States District Court Judge Sue L. Robinson to immediately notify the Consul Minister General the Noble Philippo Alo Wikvaya Ali Dey by telephone and by paper copy within 7 days of the issuing of the above order.

#### **The Results For Failure To Obey This Writ of Mandamus Demand**

***Failure to Obey this Writ of Mandamus could result in Judicial Misconduct and Judicial Disciplinary Actions and or Claims for Civil and Criminal actions against Secure Private Rights and Injury Claims of all parties involved in this case.***

#### **This Lawful Notice of Intent To Prosecute for Breach of Fiduciary of Duty**

Judicial Officer Judge Sue L. Robinson must immediately Support and Obey this Extraordinary Writ of Mandamus immediately publishing the Order over turning making void stating of no effect the Decisions of the Bankruptcy Court and Granting the Demand Claims of the Appeals Claim Caption listed above, immediately informing the Private Attorney General Phillip A Dye The Consul Minister The Noble Philippo Alo Wikvaya Ali Dey by telephone followed by the Written Order within 10 days of receiving this Writ of Mandamus. Otherwise Judicial Misconduct and Judicial Disciplinary Actions and Claims for Civil and Criminal Actions will immediately proceed. Such a Claim will include the following offenses claims charges of War and Treason against Substantive Rights but is not limited to this following list.

The following legal definitions from Black's Law Dictionary provide the foundation from which this lawful claim including Misconduct and Disciplinary Claims process is to be built providing sufficient Forensic Evidence validation confirming affirming the listing of all the possible claims following the definitions to insure a full remedy for the Petitioners.

Black's Law Dictionary provides profound definitions of the actions of the above parties cited in this Claim by the following terms and these actions will be demonstrated as Forensic Evidence in the Intended claims.

7. *Belligerency* – the status of *de facto* statehood attributed to a body of insurgents, by which their hostilities are legalized. The international status assumed by a state (*i.e.* nation) which wages war against another. Page 155
8. *Belligerent* – One who is hostile or combative which as a state is hostile, combative and wages war hostilities and aggression against its own citizens by a body of insurgents by which their war hostilities are presumed legalized. Page 155.
9. *Privateer* – A vessel owned, equipped, and armed by one or more individuals, and duly commissioned by a belligerent power to make war upon the enemy, usually by preying on his commerce. A vessel is commissioned by a state or a nation by the issue of a letter of marque to its owner to carry on all hostilities, presumably according to the laws of

war. Formerly a state issued letters of marque to its own subjects, and to those of neutral states as well, but a privateersman who accepted letters of marque from both belligerents was regarded as a pirate. Piracy and Privateering are Federal offences 18 USCA §-1692 et seq. See Black's Law Dictionary 6<sup>th</sup> Edition page 1195

10. *Letter of Marque* – An authorization formerly granted in time of war by a government to the owner of a vessel to capture enemy vessels and goods. See Article I §-8 US Constitution. Ibid page 904
11. *War* – For there to be a war a sovereign or a quasi-sovereign must engage in hostilities. Pan American World Airways, Inc. v. Aetna Cas. & Sur. Co., C.A.N.Y., 505 F.2d 989,1005. Ibid page 1583.
12. *Piracy* – Those acts of robbery and depredation upon the high seas, which if committed on land, would have amounted to a felony. Whoever, on the high seas, commits the crime of piracy as defined by the law of nations, and is afterwards brought into or found in the United States, shall be imprisoned for life. 18 USCA §-1651. Piracy and Privateering are Federal offences 18 USCA §-1692 et seq

The above definitions of terms under Piracy apply to the hostile activities at navigable waters under Maritime Law as cited at 18 USCA §-1651. However, under Privateering these same war hostile combative actions are carried at dry dock on the land within Commercial Law. The Defendant in this Counter Claim is demonstrating and exhibiting the actions and the behaviors in perfect conformity to the law definitions above. The actions of Privateering Terrorist and Racketeering actions are applicable to the defendant and its Insurgent agents as evidenced below:

The Claims will produce forensic evidence showing how the UNITED STATES OF AMERICA CORPORATION issues LETTERS OF MARQUE via Colorable de facto Laws, Statutes, Public Policies, Codes, Rules Administrative Procedures etc to Agencies and the Agents (those listed above) in turn function as the Insurgents committing hostile and warlike acts of blatantly, directly, forcible, employing intimidation, fear, threats, actions such as coercion, terrorism, racketeering, privateering under the Color of Law and Color of Right conspiring against, abridging and depriving the Defendants and access to the Rights and Constitutional Exemptions of the Defendants and that are Secured and Protected by Law from such actions.

Possible charges under consideration in the Intention of Initiating Criminal and or Civil claims.


13. Treason Treacherous Terrorism Racketeering Privateering Assault and battery against Substantive Secured Rights.
14. Title 28- Judiciary and Judicial Procedure, Chapter 13 Civil Rights, §-241 Conspiracy against private property rights.
15. Title 28- Judiciary and Judicial Procedure, Chapter 13 Civil Rights, §-242 Deprivation of rights under color of law.
16. The 4<sup>th</sup> Constitutional Amendment Deprivation of security of the Private Property Right from government invasion.
17. The 5<sup>th</sup> Constitutional Amendment Deprivation of Liberty and Private Property without Just Compensation.
18. The Thief of the Personal Private Property by Taking without Just Compensation.
19. The Treason Treacherous Terrorism Racketeering Privateering actions against the 1778 Treaty Between the United States Government and the Sovereign Delawares Indigenous Native Sovereign Nation and Phillip A Dye The Noble Philippo Alo Wikvaya Ali Dey and the Consul Minister The Noble Philippo Alo Wikvaya Ali Dey descendants of the Treaty Rights and Constitutional Protection.
20. The Treason Treacherous Terrorism Racketeering Privateering actions against the 1863 Treaty Between the United States Government and the Sovereign Pembina Nation Little Shall Band Native Sovereign Nation and Phillip A Dye the Noble Philippo Alo Wikvaya Ali Dey and the Consul Minister The Noble Philippo Alo Wikvaya Ali Dey a living National Descendant Soul by Birthright and Inheritance of the Treaty Rights and Constitutional Protection.
21. The Treason Treacherous Terrorism Racketeering Privateering actions against the 1887 Treaty Between the United States Government and the Sovereign of Peace and Friendship with the Private Sovereign Sui Juris Indigenous Moors

Nation and Phillip A Dye The Noble Philipppo Alo Wikvaya Ali Dey and the Consul Minister The Noble Philipppo Alo Wikvaya Ali Dey descendant of the Treaty Rights.

22. The Treason Treacherous Terrorism Racketeering Privateering actions against the Article 6 of the United States De Jure Organic Constitutional Supremacy Clause that is Securing the Superior Sovereignty of Phillip A Dye The Noble Philipppo Alo Wikvaya Ali Dey and the Consul Minister The Noble Philipppo Alo Wikvaya Ali Dey descendants under the perpetual binding contractual obligations of the Treaties in reference above.
23. The United States Code Title 42 Chapter 21 Subchapter I §-1985-Conspiracy interfering with Private Property Rights.
24. The United States Code Annotated Title 18 §-1651 et seq Piracy and Privateering activities conducted on vessels at dry dock under commercial law by a body of insurgent Privateers.
25. The United States Code Title 42 §-1983 For the awarding for private personal body property damage.
26. The United States Code Title 18 §-152 and §-3571 provides fine up to \$500,000.00 or imprisonment for up to 5 years for the presenting of fraudulent claims fraudulent indictment fraudulent evidence.
27. The United States Code Title 42 Chapter 21 Subchapter II obstructing the evidence in the witnesses through the modification of language creating Federal Racketeering Influenced and Corrupt Organizations activities extorting financial means creating economical damage point beyond recovery.
28. The United States Code Title 42 Chapter 21 Subchapter III deprivation of the evidence in the witnesses through modification of language creating acts of Federal Racketeering Influenced and Corrupt Organizations Terrorism Privateering.
29. The United States Code Title 42 §-1986 For knowledge and the right to stop and correct a wrong.
30. The United States Code Title 28 USC §-1746 and Title 18 §-1621 Perjury and conspiring to commit perjury.
31. The United States Code Title 18 §-1001 and the Federal Rules of Civil Procedure 9(b). Extorting private property through the modification of language.
32. The United States Code Title 18 Part I Chapter 95 §-1651 Interference with commerce by threats or violence.
33. Acting without establishing as a matter of record Proper Jurisdiction.
34. Breach of Fiduciary Duty of Upholding the "Oath of Office" and Upholding the Office of Public Trust.
35. Acts of War against the United States Government Treaties and Organic Constitution Constituting Treason.
36. Violation of Substantive Rights and Private Property Rights Secured and Protection by Constitutional Law.
- 37.
38. Employing Mail Fraud Intimidation to affect Identity Nationality Birthright Thief Using a Fiction Artificial Person Name to Impersonate and Steal the Sovereign De Jure Identity.

***Please Be Advised. This is a Legal Notice of Intent.***

Date: May 19, 2005.

Autograph:   
Consul Minister Noble Philipppo Alo Wikvaya Ali Dey  
National Private Attorney General  
Phillip A Dye  
In care of: 403 Union Church Road  
Townsend, Delaware Republic [19734]  
(302) 378-8015



UNITED STATES DISTRICT COURT  
FOR THE DELAWARE DISTRICT

In Re: PHILLIP A DYE DEBTOR, Phillip A Dye Secure  
Party and Philippo Alo Wikvaya Ali Dey Secure Party

Petitioners

V.

) Docket No: 04-4308

) Case No: Del: Civ. No: 04-cv-00386

) Reference: Chapter 13 Bankruptcy

) Case No: 03-13727 JKF

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**ORDER**

UPON CONSIDERATION of the BANKRUPTCY COURT APPEAL Docket Number 3 Case Number 04-0386-SLR Appeal Brief and any response thereto, and good cause having been shown:

IT IS HEREBY ORDERED, the Appeal to Repeal the Chapter 13 Bankruptcy Case No: 03-13727 JKF Order to Dismiss is GRANTED.

IT IS FURTHERED ORDERED, Indymac Bank, FSB will effect a Permanent Cease and Desist of all collection activities and FSB Release all lien Encumbrances from the Private Property known as 403 Union Church Road Appoquinimink Hundred New Castle County Delaware conveying the property deed freed from all debt lien encumbrances and issuing the Mortgage Lien Satisfaction Notice to Phillip Dye and Rebecca Dye, Notify all Credit Reporting Agencies of Mortgage Lien Satisfaction. To be completed within 20 days of the date of this Order.

IT IS FURTHERED ORDERED, Michael E. Kozikowski County Recorder of Deeds declare the Property Registration of Lot 12A Olde Union Farms County Road 456 also known as 403 Union Church Road Appoquinimink Hundred New Castle County Delaware null and void for fraud terminating and removing all commercial liens, encumbrances and removing completely from the County Recorder Records in its entirety for Fraud and conspiracy to obstruct language and provide Phillip Dye and Rebecca Dye 403 Union Church Road Appoquinimink Hundred New Castle County Delaware [19734] official letter stating all the above is complete and final. To be completed within 20 days of the Order date.

IT IS FURTHERED ORDERED; The Internal Revenue Service and the Delaware Division of Revenue officials and employees permanently Cease and Desist all Tax Collection Activities and issue Phillip Dye and Rebecca Dye a Certified Letter confirming the termination of any Income Tax Liability. To be completed within 20 days of the Order date.

IT IS FURTHERED ORDERED; all the Credit Card Claims listed in the Claim Registry of the Chapter 13 Bankruptcy are Fully Discharged and each Financial Institution is to Cease and Desist of all collection activities and issue the Debt Satisfaction Notice to Phillip Dye and Rebecca Dye, Notify all Credit Reporting Agencies of Debt Satisfaction. To be completed within 20 days of the date of this Order.

IT IS FURTHERED ORDERED; The New Castle County Delaware Superior Court over turn, annul, declare void the fraudulent criminal conviction in Delaware Superior Court Case Number 0111003230, the Superior Court will completely clear the case record from all court filing sources, remove all judgment lien filings with all credit reporting agencies and courts and any other agency and notify Phillip Dye of the completion of this erasure of the case from the records. To be completed within 20 days of the date of this Order.



IT IS FURTHERED ORDERED; Each Person listed in the Appeal Brief summary is sued for \$400,000.00 each in his or her personal and private capacity for damages against Appellant listed in the Appeals Claim. To be completed within 20 days of the date of this Order.

IT IS FURTHERED ORDERED; Each Person listed in this summary is sued for \$400,000.00 each in his or her personal and private capacity for damages for unauthorized reckless or wrongful Debt Collection Activities. To be completed within 20 days of the date of this Order.

Date: \_\_\_\_\_

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Judge(s)

### **Affidavit of Service**

The Consul Minister Noble Philippo Alo Wikvaya Ali Dey is publishing that one copy of the Mandatory Judicial Notice in the Form of a Writ of Mandamus Demanding That This Court Issue Its Decision in This Pending Appeals Case is served as cited below.

The Clerk Federal District Court  
844 North King Street  
Lock Box 18  
Wilmington, DE 19801  
Certified Mail Return Receipt  
No: 7002 0860 0001 2709 2118

Michael B. Joseph  
824 Market St Suite 905  
P O Box 1350  
Wilmington, DE 19899-1350  
First Class Mail

Judge Sue L. Robinson  
844 North King Street  
Lock Box 18  
Wilmington, DE 19801  
Certified Mail Return Receipt  
No: 7002 0860 0001 2709 2163

Date: May 19, 2005.

Autograph:



Consul Minister Noble Philippo Alo Wikvaya Ali Dey  
National Private Attorney General  
Phillip A Dye  
In care of: 403 Union Church Road  
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